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09/504,325	02/14/2000	Xiaode Xu	2821.1001000	7754

21005 7590 10/14/2003

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EXAMINER

WAXMAN, ANDREW

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 10/14/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

7

# Office Action Summary

Application No.

09/504,325

Applicant(s)

XU ET AL.

Examiner

Andrew M Waxman

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-9 and 11-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-9 and 11-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schulte-Kellinghaus (6,510,322), in view of Sayers et al., US Patent No. 6,539,237, hereinafter referred to as Reference 'A' and Sayers respectively.

Regarding claim 11, Reference 'A' discloses a method including accepting a reservation request for access by a user to a shared communication resource (col. 8 lines 40-43). Creating a reservation record associated with the user in a database (Fig. 2 '18' see col. 5 lines 49-52 and col. 8 lines 45-48), and reserving a portion of the shared communication resource for use by the user at the appointed time (col. 8 lines 45-48).

Reference 'A' does not disclose storing the reservation in a home location register, reading the reservation record from the HLR, validating the record by authenticating the user, and moving the record to a VLR.

Art Unit: 2667

Sayers discloses a method that includes storing, in an HLR, all of the both static and dynamic data related to the subscriber, the static data includes items such as International Mobile Subscriber Identity, subscriber MSISDN number and registered supplementary services, which would include the conferencing services (col. 5 lines 2-7). Sayers further discloses authentication services for authenticating all user subscriptions (col. 5 lines 23-25), and downloading all required data to the VLR database when a mobile station registers in the VLR area (col. 5 lines 9-11).

Although Reference 'A' does not expressly disclose storing the reservation in a home location register, doing so would clearly facilitate faster access to the data by removing the need for data exchange between the switching center and the HLR. Therefore, at the time the invention was made it would have been obvious to one of ordinary skill in the art to include the invention as disclosed by Sayers, in the invention as disclosed by Reference 'A'.

One of ordinary skill in the art would have been motivated to do this to prevent unauthorized users from accessing private data from the HLR or VLR, and all for implementation of the invention on an already existing mobile network by providing all of the necessary data to the VLR. This would in turn make the invention more marketable.

Regarding claim 2, Reference 'A' further discloses specifying a desired bandwidth. See col. 4 lines, 27-35.

Art Unit: 2667

Regarding claim 3, Reference 'A' further discloses additionally specifying a physical location. See col. 6 lines 1-6.

Regarding claim 4, Reference 'A' further discloses additionally specifying a call duration. See col. 8 lines 44-50.

Regarding claim 5, Reference 'A' further discloses releasing the reserved resource once the time has expired. See col. 8 lines 40-50.

Regarding claim 9, Reference 'A' further discloses the resource being a radio channel in a wireless communication system. See Abstract lines 12-15.

Regarding claim 14, reference 'A' discloses the reservations also being targeted at reserving a communication resource for a certain period of time, at a predetermined time. When a subscriber establishes this request, the subscriber (other party) would setting up a reservation with another (the user) in which they are communicating. It is inherent to reference 'A' that the reservation could be associated with anyone, including the user.

Regarding claim 15, Reference 'A' further discloses indicating an expected physical location for the user at the appointed date and time (see col. 8 lines 6-13), and reserving a communication resource in one or more cells in an area near the expected physical location (see col. 7 lines 23-37).

Art Unit: 2667

Regarding claim 16, Reference 'A' further discloses indicating an expected physical location and expected route for the user at the appointed date and time (see col. 8 lines 1-32), and reserving a communication resource in one or more cells located along the expected route (see col. 7 lines 56-60).

***Claim Rejections - 35 USC § 103***

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reference 'A' in view of Sayers and Malackowski et al. (6,411,803), herein after referred to as Reference 'B'.

Regarding claim 6, Reference 'A' in view of Sayers discloses all of the limitations as recited above with respect to claim 4.

Reference 'A' in view of Sayers does not disclose prompting the user that the call is about to be terminated near the end of the call duration.

Reference 'B' discloses prompting the user that the call is about to be terminated near the end of the call duration. See col. 13 lines 3-17.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to include prompting the user near the end of the call duration, as disclosed by Reference 'B', in the method as disclosed by Reference 'A' in view of Sayers.

Art Unit: 2667

One of ordinary skill in the art would have been motivated to do this to provide a warning to the user that the call is about to end, thereby allowing the user to quickly resolve any remaining issues related to the predetermined goals of the call.

***Claim Rejections - 35 USC § 103***

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reference 'A' in view of Sayers and Hjelm et al. (6,529,497), herein after referred to as Reference 'C'.

Regarding claim 8, Reference 'A' in view of Sayers discloses all of the limitations as recited above with respect to claim 11.

Reference 'A' in view of Sayers does not disclose releasing the communication resource if the user does not attempt to access the communication resource within a predetermined time after the reservation time.

Reference 'C' discloses a method for mobile channel allocation and release including a timer that is started when there is no more traffic ongoing on a channel. The channel remains active until the predetermined time expires and the channel is released. See col. 9 lines 53-67.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to include a timer for tracking a predetermined time to keep the communication resource

Art Unit: 2667

reserved, as disclosed by Reference 'C', in the method as disclosed by Reference 'A' in view of Sayers.

One of ordinary skill in the art would have been motivated to do this to prevent the unnecessary allocation of communication resources that use a portion of the limited bandwidth capacity.

***Claim Rejections - 35 USC § 103***

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reference 'A' in view of Sayers and Fenton et al. (5,619,555), hereinafter referred to as Fenton.

Regarding claim 12, Reference 'A' in view of Sayers discloses all of the limitations as recited above with respect to claim 11.

Reference 'A' in view of Sayers does not disclose the record also including telephone numbers for other users to be connected at the appointed date and time.

Fenton discloses a conference record in a database which includes telephone numbers for use in contacting users of the conference. See Fig. 2, Abstract, and col. 2 lines 59-64.

Art Unit: 2667

At the time the invention was made it would have been obvious to one of ordinary skill in the art to include the invention as disclosed by Fenton in the invention as disclosed by Reference 'A' in view of Sayers.

One of ordinary skill in the art would have been motivated to do this to allow for the system to quickly reference the desired phone numbers, which would increase the speed and efficiency of the invention.

***Claim Rejections - 35 USC § 103***

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reference 'A' in view of Sayers and Amin (6,167,261).

Regarding claim 13, Reference 'A' in view of Sayers discloses all of the limitations as recited above with respect to claim 4.

Reference 'A' in view of Sayers does not disclose the record also including a billing rate for the request.

Amin discloses including the billing rate in a profile registered on the network. See Fig. 3A-3D.

Art Unit: 2667

At the time the invention was made it would have been obvious to one of ordinary skill in the art to include the invention, as disclosed by Amin, in the invention as disclosed by reference 'A' in view of Sayers.

One of ordinary skill in the art would have been motivated to do this in order to allow timely, and multiple access to the billing rate of the desired conference call. This would allow for a more efficient invention.

### ***Response to Arguments***

Applicant's arguments filed September 8, 2003 have been fully considered but they are not persuasive.

Applicant has argued that the prior art of reference does not teach or fairly suggest, "prior to a reservation time, reading the reservation from a Home Location Register, validating the record for access if the user is authorized, and moving a validated reservation record to a Visitor Location Register."

However the examiner contends that the prior art of reference does indeed teach all of the limitations as recited above. Sayers discloses a method including storing, in an HLR all of the dynamic data related to the subscriber which when implemented with the method, as disclosed by reference 'A', would include reservation requests. Sayers further discloses authorizing the

Art Unit: 2667

user (col. 5 lines 23 – 25), and downloading all required information, which would include reservation record, to the VLR when necessary.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew M Waxman whose telephone number is (703) 305-8086. The examiner can normally be reached on 9:00 - 5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Application/Control Number: 09/504,325  
Art Unit: 2667

Page 11

Andrew M. Waxman

  
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